

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

Case No. 03-CR-10356-MLW

v.

FREDERICK A. SIMONE, (1)
a/k/a FREDDY, a/k/a
THE NEIGHBOR;

VINCENT C. GIACCHINI, (2)
a/k/a DEE DEE; and

FRANCIS WHITE, (3)
a/k/a THE WHITE-HAIRED GUY

GOVERNMENT'S RESPONSE TO DEFENDANT FREDERICK SIMONE'S
MOTION TO MODIFY CONDITIONS OF RELEASE

The United States of America, by and through its attorney, the United States Attorney for the District of Massachusetts, hereby files respectfully its Response to the July 19, 2004¹ Motion to Amend the Terms and Conditions of Pre-Trial Release filed by Defendant Frederick Simone ("Simone"). After consulting with Pretrial Services Officer Christopher Wylie, the government does not oppose Simone's request to travel from his home to 117 Hunt Drive in Hubert, North Carolina from August 20 to August 28, 2004,² provided that:

¹The Court's ECF Notice indicates this date of filing although the government has yet to receive its service copy.

²Simone's Motion requests to travel from "Friday, August 20, 2004 and returning on the following Saturday, August 25, 2004" but the return day and date are inconsistent.

1. Simone provide to PSO Wylie a detailed itinerary of the proposed travel to the satisfaction of PSO Wylie;
2. Simone report daily by telephone to PSO Wylie on each calendar day of the approved travel;
3. While in North Carolina, Simone remain at 117 Hunt Drive in Hubert, North Carolina for 24 hours per day for every day of the approved travel, except for those days on which he is actually traveling from or to Massachusetts; and
4. Abide by any other conditions which the Court or PSO Wylie request.

Respectfully submitted,
MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Colin Owyang
ERNEST DiNISCO
COLIN Owyang
Assistant U.S. Attorneys

CERTIFICATE OF SERVICE

I, Colin Owyang, do hereby certify that I served a copy of the foregoing pleading by first-class mail on July 20, 2004 on counsel for defendant Frederick Simone, Kevin J. Reddington, Esq., 1342 Belmont Street, Suite 203, Brockton, MA 02301.

/s/ Colin Owyang
Colin Owyang
Assistant U.S. Attorney